

SMITH MAZURE

ATTORNEYS AT LAW

Smith Mazure Director Wilkins Young & Yagerman, P.C.

Long Island Office:
200 Old Country Road, Suite 590
Mineola, New York 11501
(516) 414-7400
(516) 294-7325 Fax

111 John Street
New York, New York 10038
(212) 964-7400
Fax (212) 374-1935

New Jersey Office:
92 East Main Street, Suite 402
Somerville, New Jersey 08876
(908) 393-7300
Fax (908) 231-1030

Writer's Direct Dial: (212) 485-8729
jvanvoorhis@smithmazure.com

Please Respond to:
New York, NY

May 13, 2019

The Honorable Vera M. Scanlon, U.S.M.J.
United States District Court, Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Luisa Janssen Harger Da Silva v. New York City Transit Authority, Metropolitan
Transportation Authority and Raqia Shabazz
Index No. : 1:17-CV-04550-FB-VMS
D/L :
Our File : NYCTA-00547

Dear Honorable Madam:

We represent the Defendants, New York City Transit Authority, Metropolitan Transportation Authority, and Raqia Shabazz in connection with the above-referenced civil action. We write with the consent of Plaintiff's counsel to request an extension of time in which to complete the pending discovery currently due, to submit a joint status letter regarding discovery, and to request a brief adjournment of the status conference that is scheduled for June 12, 2019.

Counsel for Defendants requested an extension of time to complete discovery (Doc. #88), which Your Honor granted on April 15, 2019, where by May 15, 2019, [1] Defendants were to respond to Plaintiff's Motion (Doc. 82), [2] confirm to plaintiff that Defendant has produced all documents expected to be relied upon on Defendants' motion for immunity, and [3] meet and confer with all counsel regarding Defendants' privilege log. The deadline for the joint status letter was extended to May 23, 2019 and the Status Conference was adjourned to June 12, 2019.

Counsel has been working diligently to comply with the extensions granted by Your Honor on April 15, 2019. Mr. Lange, who had been the attorney responsible for the day to day handling of this matter has left the firm as of May 6, and I have recently been assigned to handle this matter. At this time, we have responded to Plaintiff's Motion, we have provided additional documents previously deemed privileged, we have updated the list of documents designated as security sensitive, and are in the process of confirming that Plaintiff is in receipt of all documents upon which we will rely upon in making our Motion.

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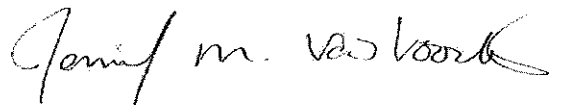
With the courtesies and consent of Plaintiff's counsel, Defendants respectfully request a 30-day extension of time, to June 15, 2019, to provide any outstanding above-ordered discovery. Defendants have been diligent in their attempts to compile all documents responsive to this Order, and have produced multiple documents that once were withheld and listed on Defendants' Privilege Log. The review of documents to ascertain we have provided all documents upon which Defendants will rely in the Motion for Immunity is extensive however, and are still under review. The proposed dates for extension are as follows:

1. The original date of the currently pending discovery/motion deadline was April 15, the deadline for the joint status letter was April 23, and the date for the Status Conference was April 30.
2. There was one previous request for an extension, granted by Your Honor on April 15, 2019.
3. Plaintiff's counsel has consented to the adjournment request.
4. The reason is that the handling attorney, Mr. Ken Lange, is no longer with the firm as of May 6, and I have just recently been assigned to handle this matter on a day to day basis. In addition, Mr. Mark Yagerman was on trial for the majority of April.
5. The proposed date for the pending discovery/motion deadline is June 15, the proposed deadline for the Joint Status letter is June 23, and the proposed date for the Status Conference is June 30.
6. We do not believe that this request will affect any other scheduled dates.

In light of the foregoing, we respectfully request that the Court grant this application and extend the deadlines as discussed above.

Respectfully yours,

SMITH MAZURE DIRECTOR WILKINS
YOUNG & YAGERMAN, P.C.

By: 
Jennifer M. Van Voorhis

JMV/jmv

cc: Gershbaum & Weisz, PC
192 Lexington Avenue, Suite 802
New York, NY 10016
(212) 385-2121/(212) 532-3801 (F)

Roth & Roth, LLP
192 Lexington Avenue, Suite 802
New York, NY 10016
(212) 425-1020/(212) 532-3801 (F)